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I. LAND AND PEOPLE

A. Demographic and ethnic structure of the population

1. The following table shows the population by sex and in rural and urban areas:

	Total		Males		Females	
	No.	%	No.	%	No.	%
Total	4 784 265	100.00	2 318 623	48.46	2 465 642	51.54
Urban settlements	2 597 205	54.29	1 244 466	47.92	1 352 739	52.08
Other settlements	2 187 060	45.71	1 074 157	49.11	1 112 903	50.89

Source: State Bureau of Statistics - census 1991.

2. For the year 1995 the birth rate was 11.2 per 1,000 inhabitants; the mortality rate was 11.3 The rate of natural increase was -0.1. Out of the total number of 50,536 deceased in 1995, women accounted for 24,778. In six of those cases the cause of death was complications in pregnancy or delivery or post-partum complications.

3. The following table shows the population under 15 and over 65:

	Total	0-14		65 and over	
	No.	No.	%	No.	%
Total	4 784 265	926 179	19.36	556 040	11.62
Males	2 318 623	474 489	20.46	199 239	8.59
Females	2 465 642	451 690	18.32	356 801	14.47

Source: State Bureau of Statistics - census 1991.

4. According to 1988-1990 data the average life expectancy in the Republic of Croatia is 72 years, 75.87 and 68.25 for females and males respectively.

5. Infant mortality in 1995 was 262 males and 187 females.

6. The population by the sex of the household provider was as follows:

	No. households
Total	1 544 245
Males	1 137 973
Females	406 272

Source: State Bureau of Statistics - census 1991.

7. The following table shows the population by religion and sex:

Religion	Total		Males	Females
	No.	%	No.	No.
Roman Catholic	3 666 784	76.64	1 753 016	1 913 768
Greek Catholic	12 003	0.25	5 810	6 193
Old Catholic	937	0.02	464	473
Orthodox	532 141	11.12	261 993	270 148
Islamic	54 814	1.15	30 193	24 621
Jewish	633	0.01	241	392
Adventist	3 291	0.07	1 347	1 944
Baptist	1 141	0.02	486	655
Evangelic	3 469	0.07	1 470	1 999
Jehovah's Witness	4 551	0.10	1 532	3 019
Pentecostal Church	817	0.02	345	472
Other Protestant	7 374	0.15	3 324	4 050
Other religions and undecided	224 981	4.70	115 863	109 118
No religion	186 161	3.89	99 911	86 250
Unknown	85 168	1.78	42 628	42 540
TOTAL	4 784 265	100.00	2 318 623	2 465 642

Source: State Bureau of Statistics - census 1991.

8. The following table shows the population by nationality and sex:

	Nationality	No.	%	Male	Female
	Total	4 784 265		2 318 623	2 465 642
Ethnic affiliation declared	Croatian	3 736 536	78.10	1 801 380	1 954 976
	Albanian	12 032	0.25	7 357	4 675
	Austrian	214	0.00	62	152
	Montenegrin	9 724	0.20	5 573	4 151
	Czech	13 086	0.27	6 186	6 900
	Hungarian	22 355	0.47	10 167	12 188
	Macedonian	6 280	0.13	3 092	3 188
	Muslim	43 469	0.91	23 283	20 186
	German	2 635	0.06	913	1 722
	Polish	679	0.01	171	508
	Roma	6 695	0.14	3 382	3 313
	Romanian	810	0.02	395	415
	Russian	706	0.01	151	555
	Ruthenian	3 253	0.07	1 592	1 661
	Slovak	5 606	0.12	2 638	2 968
	Slovenian	22 376	0.47	7 835	14 541
	Serb	581 663	12.16	292 338	289 325
	Italian	21 303	0.45	10 022	11 281
	Ukrainian	2 494	0.05	1 184	1 310
	Jewish	600	0.01	275	325
	Others	4 093	0.09	1 886	2 207
National affiliation undeclared	As per article 107 of the Constitution	73 376	1.53	34 056	39 320
	Yugoslav	106 041	2.22	51 325	54 716
	Regional affiliation	45 493	0.95	22 218	23 275
	Unknown	62 926	1.32	31 142	31 784

Source: State Bureau of Statistics - census 1991.

9. The following table shows the population by mother tongue:

Language	Total		Male	Female
	No.	%		
Croatian	3 922 725	81.99	1 894 067	2 028 658
Croatian or Serbian	466 968	9.89	235 356	231 612
Serbian	207 300	4.33	102 887	104 413
Macedonian	5 462	0.12	2 619	2 843
Slovenian	19 341	0.41	6 035	13 306
Albanian	12 735	0.27	7 693	5 042
Czech	10 378	0.22	4 673	5 705
Hungarian	19 684	0.42	8 608	11 076
Roma	7 657	0.16	3 845	3 812
Ruthenian	2 845	0.06	1 369	1 476
Slovak	5 265	0.11	2 369	2 896
Italian	26 580	0.56	12 460	14 120
Ukrainian	1 430	0.03	649	781
Other languages	11 480	0.24	4 396	7 084
Unknown	64 415	1.35	31 597	32 818

Source: State Bureau of Statistics - census 1991.

10. The following table shows the percentage of the literate population over 10 years of age:

	Total population	Literate	%
Total	4 189 512	4 062 074	96.96
Male	2 013 652	1 990 309	98.84
Female	2 175 860	2 071 765	95.22

Source: State Bureau of Statistics - census 1991.

B. Socio-economic indicators

11. The Croatian economy, like the other economies within the former "communist bloc", immediately upon the introduction of a multi-party parliamentary democracy embarked on the process of transformation of its economy towards a market economy, and one of the crucial components of the transformation is a change from so-called "social ownership" to private ownership. Although the process of transformation of the Croatian economy was somewhat longer and slower due to the war and the aggression against Croatia, the results that Croatia achieved by 1996 do not lag behind other countries in transition.

12. The process of economic stabilization took place parallel with the ownership transformation. The Croatian economy sustained major damage due to the aggression on its territory (one third of its industrial production capacity was completely destroyed, infrastructure was either destroyed or damaged, income from tourism was slashed, etc.) and, on the other hand, Croatia was forced to allocate a vast amount of money to provide for refugees and displaced persons (at certain times there were up to 700,000). However, despite that situation, the Croatian economy did not collapse but, on the contrary, judging by some indicators (for example the inflation rate and foreign currency reserves) it has become one of the most successful countries among the countries in transition. Following is a summarized account of the main economic indicators.

13. According to the data of the State Bureau of Statistics, the gross national product per capita was Kn 20,120 or $3,800 in 1995.

14. The following table traces the external debt of Croatia from the end of 1993 through July 1996: (in m$, mean rate of exchange of the National Bank of Croatia)

1993 Dec.	1994 Dec.	1995 Dec.	1996 Jan.	Feb.	March	April	May	June	July
2 638.3	3 066.6	3 660.9	3 634.6	3 722.4	3 742.1	3 720.2	3 795.3	3 920.8	4 541.8

Source: The National Bank of Croatia.

15. The inflation rate measured by retail prices was 2.0 per cent in 1995.

16. In August 1996 the unemployment rate was 14.8 per cent.

17. The following table shows the number of Croatian workers and the places they work:

Total number of workers:	1 502 379
Male	853 133
Female	649 246
People who work and live in the same place:	
Total	952 998
Male	496 638
Female	456 360
People who work and live in a different place:	
Total	549 381
Male	356 495
Female	192 886
People who live and work in the same municipality:	
Total	382 561
Male	236 119
Female	146 442
People who live in one Croatian municipality and work in another:	
Total	134 298
Male	96 502
Female	37 796
People who work in the territory of the former Socialist Federal Republic of Yugoslavia:	
Total	21 087
Male	15 360
Female	5 727
People who work abroad:	
Total	3 266
Male	2 751
Female	515
Commuters:	
Total	488 118
Male	308 009
Female	180 109

Source: State Bureau of Statistics - census 1991.

18. The following table shows a breakdown of refugees, by age and sex:

Refugees					
Age	Male		Female		Total
	No.	%	No.	%	No.
0 - 9	11 336	50.60	11 068	49.40	22 404
10 - 19	16 552	50.37	16 312	49.63	32 864
20 - 29	8 779	39.22	13 605	60.78	22 384
30 - 39	6 311	32.42	13 155	67.58	19 466
40 - 49	5 970	35.18	11 000	64.82	16 970
50 - 59	7 225	38.44	11 571	61.56	18 796
60 - 69	9 949	44.05	12 637	55.95	22 586
70 >	4 244	31.84	9 084	68.16	13 328
Total	70 366	41.69	98 432	58.31	168 798

Source: Office for Refugees and Displaced Persons (as at 29 October 1996).

II. GENERAL POLITICAL STRUCTURE

A. Brief historic overview and international recognition

19. Following the first multi-party elections held on 22 April and 6 May 1990, the Republic of Croatia, like other countries of Eastern Europe, started the process of transformation of the communist system into a system of parliamentary democracy and market economy. At the same time, together with some other republics within the former Socialist Federal Republic of Yugoslavia (hereinafter the SFRY), it initiated a political struggle for the establishment of a relationship of equality among the constituent units of the Federation. Pursuant to the then-effective Constitution of the SFRY (which was enacted in 1974) Croatia, as a constituent Republic, was vested with all rights pertaining to a State, including the right to self-determination and the right to secession.

20. Following the establishment of the newly elected democratic Government, Croatia enacted its first civic Constitution (being a constituent State within the SFRY, it was entitled to do so) which was enacted in the Sabor (the Croatian Parliament) on 22 December 1990 (Narodne novine (Official Gazette, hereinafter N.n.) No. 56/90).

21. As the consequence of unsuccessful negotiations concerning the establishment of a future federation or confederation, held among the Presidents of former Yugoslav republics in Ohrid on 19 April 1991, it was

decided to hold referendums regarding whether to remain in the federation or enter into a confederation. In Croatia, the referendum was held in May 1991, and 94 per cent of the voters decided to live in an independent and sovereign Croatia. Following the referendum, the Parliament of the Republic of Croatia enacted, on 25 June 1991, the Constitutional Declaration on Sovereignty and Independence of the Republic of Croatia (N.n. 31/91). The legal effect of the Declaration was the proclamation of the independence of Croatia, which ceased to be a federal entity of the former SFRY.

22. Refusing to accept the legitimate decision of the Croatian people to be independent, the Yugoslav Peoples's Army (hereinafter the JNA) commenced armed aggression against Croatia, supported by paramilitary forces organized by a part of the Serb minority living on the territory of Croatia.

23. To avoid the danger of the spread of armed conflict and suffering of the civilian population, the member States of the European Community, at their meeting held on 27 August 1991 in Brussels, concluded, with a view to the preservation of peace, that it was necessary to stop all armed conflicts and to send permanent observers to the territory of Croatia, as well as to organize the Conference on Yugoslavia. (The Conference commenced on 3 September 1991 in The Hague.)

24. Since the negotiations concerning the peace in Croatia organized under auspices of the European Community did not end in a satisfactory way, and following the expiration, on 8 October 1991, of the three-month period during which the Constitutional Declaration of Independence of the Republic of Croatia was suspended, the Declaration came into effect.

25. The only way to stop military operations and further spillover of the armed conflict which was unfolding in the territory of the former Yugoslavia, in the opinion of the Arbitration Commission of the International Conference on the Former Yugoslavia (Badinter Commission), was to recognize the independence of the new States.

26. The European Community and its member States recognized the Republic of Croatia as an independent and sovereign State on 15 January 1992. That recognition, which was supported by the peace conference on the former Yugoslavia, made it possible to accept the so-called Vance peace accord in respect of temporarily occupied Croatian territory. The process of gaining international recognition was completed by Croatia's admission to the United Nations on 22 May 1992. The Republic of Croatia became an equal subject of international relations and, pursuant to that, one of the equal successor States of the former SFRY. It also assumed responsibility as a party to a large number of international treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination.

B. Organization of government

27. The Constitution of 22 December 1990 defines the Republic of Croatia as a single, inseparable, democratic and social State, where all power originates from the people and belongs to the people, who exercise it by election of its representatives and by direct decision-making (Constitution, art. 1, paras. 1-3).

28. The Croatian political system is a democratic system, where liberty, equality, national equality, orientation to peace, social justice, respect for fundamental rights, inviolability of private property, preservation of nature and the environment, the rule of law and a democratic multi-party system are the fundamental values of the constitutional order (Constitution, art. 3).

29. Pursuant to article 4 of the Constitution, organization of the State power in the Republic of Croatia is based on the separation of the legislative, executive and judicial powers.

30. Pursuant to the Constitution and the Constitutional Law on Human Rights and Freedoms and Rights of Ethnic and National Communities or Minorities in the Republic of Croatia, members of national minorities are granted equality with their fellow citizens of Croatian nationality, as well as all individual and collective human and minority rights. Due to the change of ethnic structure and territorial allocation of population caused by the liberation of temporarily occupied Croatian territories, the Parliament has enacted the Constitutional Law on the Suspension of the Application of the Constitutional Law on Human Rights and Freedoms and Rights of Ethnic and National Communities or Minorities in the Republic of Croatia (N.n. 68/95), suspending application of certain provisions of that law. It is important to say that this is a temporary non-application of certain provisions of the Constitutional Law, pending the results of the first population census of the Republic of Croatia, which should establish the actual demographic structure of the country. It should be emphasized that the provisions whose application has been suspended refer to specific territory in which members of individual ethnic and national communities or minorities used to form the majority population according to the 1991 census, and where the demographic situation has changed.

31. As in other pluralist democracies, the Croatian political system operates within the constitutional framework, by the interaction of diverse interest groups and political parties.

1. Legislative power

32. Article 70 of the Croatian Constitution designates the Sabor (Parliament) of the Republic of Croatia as the representative body of citizens and the supreme legislative power in the Republic of Croatia. The Sabor consists of the House of Representatives and the House of Counties.

33. The House of Representatives consists of a minimum of 100 and maximum of 160 representatives elected by general and equal suffrage, by a mixed proportional/majority system, on the basis of a secret ballot. In the 1995 elections for members of the House of Representatives, 127 representatives were elected. Eighty of them were elected on the basis of the proportional representation system, from the single State list, 12 representatives were elected by the Croatian citizens residing abroad, by the proportional representation system, and 28 representatives were elected in single-member constituencies by the majority system. Seven representatives were elected by members of national minorities, by the majority system.

34. The House of Counties consists of representatives of counties elected by direct, general election and secret ballot. Each county elects three members. The President of the Republic has the right to appoint up to five representatives. (Following the 1997 elections, the House of Counties consists of 68 representatives.)

35. Pursuant to article 97 of the Constitution of the Republic of Croatia, in the case of death, resignation or permanent inability of the President of the Republic to perform his office, which has to be established by the Constitutional Court of the Republic of Croatia subject to the proposal of the Government of the Republic of Croatia, the position is to be assumed by the President of the Parliament of the Republic of Croatia. Election of the new President has to take place within 60 days following the day when the former President ceased to carry out his functions.

2. Executive power

36. In accordance with the Constitution and law, the executive power of the Republic of Croatia is vested in the President of the Republic and in the Government. The President of the Republic is the head of the State. He is elected by secret ballot for a period of five years, in general and direct elections.

37. Pursuant to article 98 of the Constitution of the Republic of Croatia, the President of the Republic:

(a) Calls elections for both houses of the Parliament of the Republic of Croatia, and convenes their initial sessions;

(b) Calls a referendum, in accordance with the Constitution;

(c) Appoints and removes the President of the Government of the Republic of Croatia;

(d) Subject to the proposal of the President of the Government, appoints and removes vice-presidents and members of the Government;

(e) Grants amnesty;

(f) Grants decorations and acknowledgements, as specified by law;

(g) Is commander-in-chief of the armed forces of the Republic of Croatia (article 100 of the Constitution).

38. The President can be impeached for having violated the Constitution in the performance of his or her duties. The impeachment procedure may be instituted by a two-thirds majority of all members of the House of Representatives. By a two-thirds majority of all judges, the Constitutional Court may decide to remove the President from office.

39. In accordance with the basic characteristics of the semi-presidential system, the Government of the Republic of Croatia is politically accountable to the President of the Republic and to the House of Representatives. The

responsibility of the Government and its members to the President of the Republic is legally based on article 98 of the Constitution. On the other hand, article 113, paragraph 1, of the Constitution stipulates that a vote of no-confidence in the President of the Government, an individual member of the Government or in the Government as a whole, can be requested by at least one tenth of the members of the House of Representatives.

3. Judicial power

40. In accordance with the principle of separation of powers set out in the Constitution of the Republic of Croatia, the independence and autonomy of the judicial power are especially guaranteed, as well as the permanent tenure of judicial office and immunity from prosecution (the immunity of judges is defined in the same terms as the immunity of members of the Parliament). The judicial power is vested in the courts which adjudicate on the basis of the Constitution and law, as well as on the basis of international treaties which have become an integral part of the internal legal order of the Republic of Croatia, as envisaged by the Constitution.

41. The State Judicial Council, which was designed in accordance with the principle of separation of powers and according to a model applied in contemporary European democratic constitutions, has the authority to appoint and discipline judges. As of the day of entry into force of the State Judicial Council Act, authority to appoint and remove judges and State attorneys was transferred from the Parliament of the Republic of Croatia to the State Judicial Council.

42. The following courts have been established within the single judicial system:

Municipal courts (for the territory of one or more cities or municipalities);

County courts (for the territory of each county);

Courts of commerce;

The High Court of Commerce of the Republic of Croatia;

The Administrative Court of the Republic of Croatia;

The Supreme Court of the Republic of Croatia (the highest court);

Misdemeanour courts;

The High Misdemeanour Court.

4. The Constitutional Court

43. The Constitutional Court is not a part of the legislative, executive or judicial power, but, pursuant to the Constitution, is an independent institution which supervises compliance of all three powers with the

Constitution and the law. The specific importance of the Constitutional Court of the Republic of Croatia is in the fact that it (unlike most of the other constitutional courts in democratic States) may autonomously, i.e. without prior initiative of any body, institute proceedings to determine the compliance of individual laws with the Constitution and may set aside a law if it finds it unconstitutional (Constitution, article 126, and Constitutional Act on Constitutional Court, article 15). The competencies of the Constitutional Court pursuant to article 125 of the Constitution are the following:

(a) Deciding on compliance of laws with the Constitution;

(b) Deciding on compliance of other regulations with the Constitution and the law;

(c) Protecting fundamental freedoms and rights of individuals and citizens;

(d) Resolving disputes over competence among bodies of the legislative, executive and judicial powers;

(e) Adjudicating impeachment proceedings against the President of the Republic;

(f) Supervising compliance of programmes of political parties and their activities with the Constitution, including whether these should be prohibited;

(g) Supervising compliance of State referendums with the Constitution and the law, and deciding electoral disputes not being within competencies of the regular courts.

III. GENERAL LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS

A. Fundamental human rights and freedoms

44. The legal system of the Republic of Croatia prohibits all forms of racial discrimination which violate human rights, and provides for the full and specific protection of all national or ethnic communities and minorities residing in the Republic of Croatia by guaranteeing their right to promote their customs, tradition and culture, as well as to maintain and preserve their language and script. Full protection against all forms of racial discrimination is ensured by the Constitution, by the Constitutional Law on Human Rights and Freedoms and on Rights of Ethnic and National Communities or Minorities in the Republic of Croatia, by the Penal Code of the Republic of Croatia, by the Basic Penal Code of the Republic of Croatia, and by other laws (the Law on Local Self-Government and Local Government, the Law on Election of Representatives to the Parliament of the Republic of Croatia, the Law on Election of Members of Representative Bodies of Units of Local Self-Government and Units of Local Government and Self-Government, the Law on the Government of the Republic of Croatia, the Law on the System of Public Administration, the Law on Croatian Radio and Television, the Law on the Social Care of

Pre-School Children, the Law on Primary Education, the Law on High School Education, the Law on Upbringing and Education in Languages of Nationalities, the General Administrative Procedure Act).

45. A special chapter of the Constitution (arts. 14-20) regulates the fundamental freedoms and rights of individuals and citizens. Those provisions, inter alia, explicitly provide for:

(a) Equality of all citizens before the law, equal rights and freedoms regardless of race, colour of skin, sex, language, religion, political or other belief, national or social origin, wealth, birth, education, social status or other characteristics (art. 14);

(b) Equality of members of all peoples and minorities, including the full freedom of expression of national origin, freedom to use one's own language and script, and cultural autonomy (art. 15);

(c) The right to appeal against legal acts (art. 18).

B. Personal and political rights and freedoms

46. The Constitution guarantees the following personal and political freedoms and rights:

Right to life (art. 21);

Inviolability of freedom and personality, save pursuant to a judicial decision in accordance with the law (art. 22);

Prohibition of harassment, forced and compulsory labour, and subjection to medical and scientific experiments without consent (art. 23);

Prohibition of imprisonment and detention without a written judicial warrant based on law (art. 24);

Right of imprisoned and convicted persons to humane treatment and dignity (art. 25);

Right of citizens to the assistance of an attorney. The legal profession is an independent and autonomous service (art. 27);

Right of a citizen to be presumed innocent until found guilty by a final judicial decision (art. 28);

Right of suspects and persons indicted for crimes to a fair trial pursuant to principles applied in democratic States (arts. 29-31);

Right to free movement and choice of residence (art. 32);

Right of foreign citizens to asylum and protection (art. 33);

Right to a home (art. 34);

Right to protection of personal and family life (art. 35);

Right to confidentiality of correspondence (art. 36);

Right to confidentiality of personal data (art. 37);

Right to free expression and information; prohibition of censorship (art. 38);

Prohibition of calling for or inciting to war and national, racial or religious hatred (art. 39);

Right to freely choose and practise a religion (art. 40);

Equality of all religious communities before the law (art. 41);

Right to peaceful assembly (art. 42);

Right to association (art. 43);

Right of every citizen to equal conditions of participation in the performance of public affairs and admission to the public service (art. 44);

Universal and equal suffrage for all citizens aged 18 or older (art. 45);

Right of citizens to file complaints and petitions with State and other public bodies (art. 46);

Right to conscientious objection of citizens who do not wish to serve in the military forces because of their religious belief (art. 47).

47. Pursuant to article 17 of the Constitution of the Republic of Croatia, in time of war or an imminent threat to the independence and unity of the Republic, as well as in time of large natural catastrophes, certain individual freedoms and rights guaranteed by the Constitution may be restricted. A decision on restriction has to be enacted by the Parliament of the Republic of Croatia, by a two-thirds majority of all members, and if the Parliament is not able to convene, by the President of the Republic. The extent of restriction has to be proportionate to the nature of the threat, and its consequence must not result in inequality of citizens on the basis of their race, colour of skin, sex, language, religion, national or social origin.

48. On 25 June 1991 the Parliament of the Republic of Croatia adopted the Charter of Rights of Serbs and Other Nationalities in the Republic of Croatia. It is emphasized therein that "all nationalities in Croatia are legally protected from any activity which may threaten their existence, and have the right to esteem, self-preservation and cultural autonomy. Serbs in Croatia and all nationalities have the right to proportionate participation in bodies of State power, as well as to the guarantee of their economic and social development with a view to the preservation of their identity and protection

from any attempt of assimilation. This is to be regulated by appropriate laws, territorial organization and local self-government of the Republic of Croatia, as well as by the establishment of organs and bodies of the Parliament which shall promote inter-nationality relations. Individual nationalities and their members shall be entitled to address international institutions which have authority to protect human rights, for protection of their rights."

C. Economic, social and cultural rights

49. In addition to the specified fundamental freedoms and rights of individuals and citizens, the Constitution sets forth economic, social and cultural rights. It guarantees the right of ownership and inheritance. Ownership creates an obligation for an owner, to contribute to the common good (art. 48). Freedom of entrepreneurship and the free market are the fundamentals of economic organization of the Republic. The State shall ensure that all entrepreneurs have equal access to the market (art. 49).

50. The Constitution sets forth the following social rights (arts. 54-60): right to work; freedom of choice of profession and employment; right to equal pay for equal work; paid weekly and annual leave; right to social security; right to State assistance in case of disability, incapacity to work and unemployment; special protection of disabled persons; right to health protection; right to establish trade unions and to strike. Articles 61 to 64 of the Constitution protect family, maternity, children, youth and disabled children.

51. Primary education is compulsory and free. Secondary education is accessible to everyone subject to the same conditions. Higher education depends on the capabilities of persons wishing to enrol (art. 65).

52. The Constitution guarantees the freedom of scientific, cultural and artistic work, and protects the moral and material rights of authors (art. 68).

53. Citizens have the right to a healthy life and environment. Citizens, State and public authorities and business entities and associations are responsible for the protection of the health of the people, nature and the environment (art. 69).

D. Relationship between the Convention and domestic law

54. Article 134 of the Constitution of the Republic of Croatia sets forth the following: "International agreements which have been signed and ratified in accordance with the Constitution and published, are a part of the internal legal order and have a legal force above the law. Their provisions may be changed or repealed only under conditions and in the way specified in them, or in accordance with the general rules of international law."

55. The status of legal rules enacted by international or supranational institutions is regulated by the Law on Courts, which contains a provision regulating the possible application of secondary legislation. Article 5,

paragraph 3, of the Law specifies: "courts shall apply other regulations enacted pursuant to the Constitution, treaties or law of the Republic of Croatia".

56. In accordance with what has been said, the courts in the Republic of Croatia have a legal basis for the application of regulations which are enacted pursuant to international treaties. The Constitution allows a possibility of direct application of applicable rules of international law, which has been confirmed in the practice of the Supreme Court.

E. International human rights treaties to which Croatia is a party

57. The Republic of Croatia is a party to the following international instruments:

1. International Covenant on Economic, Social and Cultural Rights of 1966

2. International Covenant on Civil and Political Rights of 1966

3. Optional Protocol to the International Covenant on Civil and Political Rights of 1966

4. Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty of 1989

5. Convention on the Prevention and Punishment of the Crime of Genocide of 1948

6. Convention on the Non-Application of Statutory Limitations to War Crimes and Crimes against Humanity of 1968

7. Slavery Convention of 1926 as amended by the Protocol of 7 December 1953

8. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956

9. Convention on the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others of 1950

10. ILO Convention (No. 29) concerning Forced Labour of 1930

11. Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment of 1984

12. ILO Convention (No. 102) concerning Minimum Standards of Social Security of 1952

13. Convention relating to the Status of Refugees of 1951

14. Protocol relating to the Status of Refugees of 1967

15. Convention relating to the Status of Stateless Persons of 1954

16. ILO Convention (No. 87) concerning Freedom of Association and Protection of the Right to Organize of 1948

17. ILO Convention (No. 98) concerning the Application of the Principles of the Right to Organize and Bargain Collectively of 1949

18. ILO Convention (No. 122) concerning Employment Policy of 1964

19. ILO Convention (No. 135) concerning Protections and Facilities to be Afforded to Workers' Representatives in the Undertaking of 1971

20. Convention on the Political Rights of Women of 1952

21. Convention on the Nationality of Married Women of 1957

22. Convention on Consent to Marriage, Minimum Age of Marriage and Registration of Marriages of 1962

23. Convention on the Rights of the Child of 1989

24. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 1949

25. Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 1949

26. Geneva Convention relative to the Treatment of Prisoners of War of 1949

27. Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949

28. Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 1977

29. Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) of 1977

30. International Convention on the Elimination of All Forms of Racial Discrimination of 1965

31. International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973

32. International Convention against Apartheid in Sports of 1985

33. Convention on the Elimination of All Forms of Discrimination against Women of 1979

34. ILO Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value of 1951

35. UNESCO Convention against Discrimination in Education of 1960

36. ILO Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation of 1958.

F. Legal remedies

58. Every citizen who considers that his or her rights have been denied or violated has the right to an effective legal remedy specified by law and accessible to all persons. In accordance with article 18 of the Constitution of the Republic of Croatia, "the right to appeal against individual legal acts delivered in first instance judicial proceedings or proceedings before other authorized bodies is guaranteed".

59. The Constitution of the Republic of Croatia guarantees to all citizens the protection of all freedoms and rights guaranteed by the Constitution before the Constitutional Court. Mechanisms for such protection are the review of compliance with the Constitution, and the constitutional complaint.

60. Every individual has an opportunity, regardless of his or her nationality, race, sex and legal interest, to propose to the Constitutional Court to institute a constitutional review of any law or regulation (Constitutional Act on the Constitutional Court, art. 15).

61. Citizens of the Republic of Croatia have a right to file a constitutional complaint after all legal remedies available by judicial and administrative bodies have been exhausted (Constitutional Act on the Constitutional Court, art. 28). All acts of the judicial power (judgements, decisions), administrative power, or bodies vested with public authority, violating constitutional rights of the individual or of the citizen can be subject to the constitutional complaint procedure, provided that all other legal avenues have been exhausted.

62. Protection of human rights is implemented on the basis of the Law on the Ombudsman (N.n. 60/92), which sets forth the following:

> "The Ombudsman takes action in order to examine individual violations of constitutional and legal rights of citizens, shortcomings or other irregularities in the operation of administrative bodies and bodies vested with public authority, either on his own initiative, or subject to application of citizens to that effect.
>
> "Everyone shall have the right to file a complaint with the Ombudsman, regardless of whether he or she is directly affected by the violation of constitutional or legal rights of citizens. The Ombudsman is free to decide whether to take the complaint into consideration or not and, if yes, to what extent" (art. 12, paras. 1 and 2).

63. The Ombudsman acts within the framework of the constitutional and legal provisions and international legal acts regulating human rights and freedoms to which the Republic of Croatia is a party (Law on the Ombudsman, art. 2, para. 2).

64. According to article 13 of the Law on the System of State Administration, any damage inflicted on a citizen, legal entity or other party by illegal or irregular operation of the bodies of State administration, bodies of the units of local self-government, or legal entities vested with public authority, shall be compensated by the Republic of Croatia.

IV. INFORMATION AND PUBLICITY

A. Activities of the Government regarding the promotion and protection of human rights

65. The Government of the Republic of Croatia is making special efforts aimed at raising the level of public awareness regarding the rights stipulated by various international instruments on human rights. The Government of the Republic of Croatia, taking into account all the basic acts of the Republic of Croatia, the United Nations, UNESCO, the Council of Europe and the Organization for Security and Cooperation in Europe, has embarked on the realization of a comprehensive system of promotion and protection of human rights by founding special national bodies which will be in charge of particular areas of human rights in the Republic of Croatia. These bodies have the role of assistants and advisers to the Governmental Coordination on Internal Policies and Human Rights.

66. The Coordination on Internal Policies and Human Rights is the central body of the Government of the Republic of Croatia regarding the issues of human rights, whose principal task is to systematically monitor the state of human rights in the Republic of Croatia and to coordinate the activities of the relevant bodies in charge of the promotion and protection of human rights. At the same time it discusses issues relating to the violation of human rights in the territory of the Republic of Croatia, examines objections filed by international organizations within the scope of human rights, and proposes to the Government of the Republic of Croatia and authorized ministries and governmental agencies measures which need to be undertaken to promote and protect human rights.

67. To date, the following national bodies for the promotion and protection of human rights have been founded in the Republic of Croatia:

National Committee on Human Rights Education;

Commission on Equality (protection of women's rights);

National Committee for the Elaboration of the National Plan of Action for Children.

68. The newly founded National Committee on Human Rights Education is aimed at assisting all citizens, from pre-school through to university, in achieving the required level of individual and collective awareness of the principles of

equality and freedom of all the people. Education on human rights is a process aimed at creating individual awareness of respect for human rights as a natural need of every citizen and the society as a whole, and bringing up the younger generations to respect the dignity of every human being and protect every human being's rights.

B. Non-governmental organizations for the protection of human rights in Croatia

69. In its efforts to protect human rights, the Republic of Croatia cooperates actively with non-governmental organizations which aim to monitor and investigate any violations of human rights. The following non-governmental organizations are active in protecting human rights*:

1. Amnesty International - Rijeka
2. Croatian Committee on Human Rights - Zagreb
3. Dalmatian Solidarity Committee - Split
4. Croatian Society for Protection of Rights of Children, Family, Foster and Adoptive Parents - Branch for the Republic of Croatia
5. Centre for Women Victims of War - Zagreb
6. Dalmatian Committee on Human Rights - Split
7. Croatian Section of the International Society for the Protection of Human Rights - Zagreb
8. Medical Centre for Human Rights
9. Magna Carta - Centre for Promotion of Human Rights
10. Citizens' Committee on Human Rights - Zagreb
11. Committee on Human Rights - Zagreb
12. Croatian Doctors for Human Rights - Zagreb
13. "Apel" Centre for Protection of Human Rights of Imprisoned and Missing Persons, Family Providers and Members of their Families - Zagreb
14. Amnesty International Croatia - Zagreb

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* Data taken from the register of non-governmental organizations with the Ministry of Administration of the Republic of Croatia as of 6 November 1996.

15. Institute for Human Rights at Novi Vinodolski - Novi Vinodolski

16. "Dom" - Association for Protection of Acquired and Other Human Rights in the Republic of Croatia - Zagreb.

C. The Ombudsman

70. The Ombudsman plays an important role in the promotion of human rights. The role not only involves the protection of concrete human rights as reported above, but also their promotion, as can be seen from article 7 of the Law on the Ombudsman: "An ombudsman may publicize his/her warnings, information, proposals, recommendations and reports through the media which are obliged to publish them." Also, the Ombudsman submits a report on his/her work to the Parliament of the Republic of Croatia, which is a way of informing the members of Parliament as well as the general public on the extent to which constitutional and other legal rights of citizens are being honoured and respected.

D. Reporting under the human rights treaties

71. The Republic of Croatia has taken on the responsibility of submitting national reports under international human rights treaties. By submitting these reports it also informs the general public on the state of affairs in human rights.

72. In 1993 the Republic of Croatia submitted a report under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/249), in compliance with a special decision of the Committee on the Elimination of Racial Discrimination. It also submitted additional information on the implementation of the obligations under the Convention in 1995 (CERD/C/249/Add.1).

73. The initial report under the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT/C/16/Add.6) was submitted on 29 January 1996.

74. The initial report under the Convention on the Rights of the Child (CRC/C/8/Add.19) was submitted on 7 December 1994.

75. A special report, in conformity with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/CRO/SP.1), was submitted on 6 December 1994. The initial report under the same Convention (CEDAW/C/CRO/1) was submitted on 15 February 1995 and is currently awaiting consideration by the Committee on the Elimination of Discrimination against Women.

76. Initial reports of the Republic of Croatia under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights are currently in the process of elaboration.